



California Regional Water Quality Control Board Central Valley Region

Karl E. Longley, ScD, P.E., Chair



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APPROVED

Staff

Supervisor

13 May 2009

Mark J. Madison
Director of Municipal Utilities
City of Stockton
2500 Navy Drive
Stockton, CA 95206-1191

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**TENTATIVE ADMINISTRATIVE CIVIL LIABILITY ORDER NO. R5-2009-0XXX FOR
ASSESSMENT OF MANDATORY MINIMUM PENALTIES, CITY OF STOCKTON REGIONAL
WASTEWATER CONTROL FACILITY, SAN JOAQUIN COUNTY**

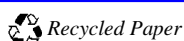
Enclosed is a tentative Administrative Civil Liability Order (Tentative Order), issued pursuant to California Water Code (CWC) section 13385, for violations of Waste Discharge Requirements (WDRs) Orders 94-324, R5-2002-0083 and R5-2008-0154 (NPDES No. CA0079138) by the City of Stockton (hereafter referred to as "Discharger") at the Discharger's Regional Wastewater Control Facility. The Tentative Order assesses civil liability in the amount of **sixty thousand dollars (\$60,000)**, for Mandatory Minimum Penalties for effluent limitation violations that occurred from 1 January 2000 through 31 December 2008.

This Tentative Order, which constitutes a settlement of the violations charged in Complaint R5-2009-0526, authorizes the Discharger to dedicate a portion of the penalty amount to fund a Supplemental Environmental Project (SEP) pursuant to California Water Code section 13385(l). The SEP that the Discharger has chosen to fund is the Delta Methylmercury TMDL Stakeholder Facilitation. This SEP has been proposed to be included on the Central Valley Water Board's list of pre-approved SEPs, and is currently posted on the Central Valley Water Board's website for public comment.

This Tentative Order may become final after a 30-day period, starting from the date listed above, during which time interested parties may comment on this action by submitting information to this office, attention Barry Hilton. Should the Central Valley Water Board receive new information during this comment period, the Central Valley Water Board may withdraw the tentative Order.

Any comments or evidence concerning the enclosed Tentative Order must be submitted to this office, attention Barry Hilton, **no later than 5 p.m. on 12 June 2009**. This includes material submitted by interested parties, including members of the public, who wish to comment on the proposed settlement. There will not be additional opportunities for public comment on this proposed settlement.

California Environmental Protection Agency



In order to conserve paper and reduce mailing costs, paper copies of the Tentative Order have been sent only to the Discharger. Interested parties are advised that the full text of the Order is available on the Central Valley Water Board's website at:

<http://www.waterboards.ca.gov/centralvalley/tentative>. Anyone without access to the Internet who needs a paper copy of the Tentative Order can obtain one by calling Central Valley Water Board staff.

If you have questions or comments regarding the Administrative Civil Liability Order, please contact Barry Hilton at (916) 464-4762 or bhilton@waterboards.ca.gov.

WENDY WYELS

Supervisor

Compliance and Enforcement Section

Enclosure: Tentative ACL Order R5-2009-XXXX

cc w/o encl: Ms. Pamela Creedon, Executive Officer
Mr. Dan Radulescu, CVRWQCB, Rancho Cordova
Mr. Kenneth Greenberg, USEPA, Region 9, San Francisco
Mr. Patrick Pulupa, Office of Chief Counsel, SWRCB, Sacramento
Mr. Reed Sato, Office of Enforcement, SWRCB, Sacramento
Ms. Lori Okun, Office of Chief Counsel, SWRCB, Sacramento
Ms. Emel Wadhwani, Office of Chief Counsel, SWRCB, Sacramento
Mr. Dan Radulescu, Regional Water Board, Sacramento
Mr. Patrick Morris, Regional Water Board, Sacramento
Ms. Carol Oz, Department of Fish and Game, Region 2, Rancho Cordova
San Joaquin County Environmental Health Department, Stockton
Mr. Bill Jennings, California Sport Fishing Protection Alliance, Stockton
Mr. Michael Lozeau, Lozeau Drury LLP
Mr. Dan Ceppos, Center for Collaborative Policy, Sacramento